

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
)	No. 10 CV 3208
v.)	
)	
)	Judge David H. Coar
FUNDS IN THE AMOUNT OF)	
NINETY-SIX THOUSAND,)	
ONE HUNDRED AND)	
SIXTY DOLLARS)	
(\$96,160.00))	

**MOTION OF THE UNITED STATES OF AMERICA
FOR ENTRY OF A DEFAULT DECREE OF FORFEITURE**

The United States of America, by Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, moves this court for the entry of a default decree of forfeiture. In support of this motion, the United States of America states as follows:

1. On May 25, 2010, the United States filed a verified complaint seeking forfeiture of funds in the amount of ninety-six thousand, one hundred and sixty dollars (\$96,160.00), pursuant to 21 U.S.C. § 881(a)(6).

2. On the same date, the court issued an arrest warrant in rem to be executed by the United States Marshal Service against the defendant funds.

3. On July 6, 2010, the United States Marshal Service executed the warrant of arrest in rem and personally served the defendant funds. (A copy of the arrest warrant in rem is attached as Government Exhibit "A.")

4. The United States gave notice of this action to all known potential claimants by certified mail including: Claimants Waseem Bhatti and Shoeb Hamid Ali, and their attorney Stephen

L. Richards at their last known addresses. (A copy of the Certificate of Service is attached as Government Exhibit “B.”)

5. Pursuant to Rule G(4)(a) of the Supplemental Rules for Admiralty and Maritime Claims for Forfeiture Actions, notice was posted on an official government internet site for at least 30 consecutive days, beginning on May 26, 2010 and ending on June 24, 2010, directing that any claim be filed within 30 days of notice or the last date of publication and any answer be filed within 20 days of the filing of the claim. (A copy of the Declaration of Publication is attached as Government Exhibit “C.”)

6. On June 29, 2010, Waseem Bhatti and Shoeb Hamid Ali filed verified claims, thereby asserting their interest in the defendant funds.

7. On July 20, 2010, Waseem Bhatti and Shoeb Hamid Ali filed answers to the verified complaint for forfeiture.

8. On July 22, 2010, the United States submitted interrogatories and request to produce to the claimants.

9. On September 24, 2010, claimants Waseem Bhatti and Shoeb Hamid Ali agreed to dismiss their claims through their attorney Stephen L. Richards. (Copies of the stipulations are attached as Government Group Exhibit “D.”)

10. Based on the verified complaint for forfeiture and the attached affidavit of Task Force Officer Efrain Mata of the Drug Enforcement Administration (“DEA”), the United States has established that the defendant funds in the amount of \$96,160.00, were furnished or intended to be furnished in exchange for a controlled substance, were the proceeds from the sale of a controlled substance, and were monies used and intended to be used to facilitate narcotics trafficking, in a

violation of the Controlled Substances Act, 21 U.S.C. § 801, *et seq.*, and are therefore forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(6).

WHEREFORE, the United States of America requests that this court enter a default decree of forfeiture in favor of the United States of America and against the defendant funds. A draft order is submitted herewith.

Respectfully submitted,

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